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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

OVERNIGHT MAIL

REPLY TO THE ATTENTION OF:

MAR 02 1995

CM-29A

Cerro Copper Products Company  
c/o Richard F. Ricci  
Lowenstein, Sandler, Kohl, Fisher & Boylan  
65 Livingston Avenue  
Roseland, NJ 07068-1791

Re: Access to Property Known as Sauget Area 1, Site G, Sauget,  
Illinois

Dear Mr. Ricci:

Enclosed please find a Consent Agreement for Access to the property known as Sauget Area 1, Site G, in Sauget, Illinois (see attached map). U.S. Environmental Protection Agency ("U.S. EPA") plans to conduct or compel hazardous waste removal activities at the site because the Agency has determined that the site contains contaminated soils containing high levels of PCB Arochlor 1260 and other hazardous substances. These soils constitute, among other things, an actual or potential threat of exposure of hazardous substances or pollutants or contaminants to human health and the environment. For this reason, U.S. EPA needs access to your property in order to remedy the contamination, as described herein.

Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) ("CERCLA", as amended), gives U.S. EPA and its representatives the authority to enter any property for the purpose of taking response actions to address the release or threatened release of hazardous substances, pollutants, or contaminants. Although U.S. EPA personnel or the personnel of its authorized representative may enter property without an owner's consent when entry is necessary to respond to a release or threatened release, it is U.S. EPA's practice to seek the owner's consent before entry onto the property. In this case, personnel of Monsanto Chemical Company ("Monsanto") wish to enter the above-referenced site to conduct above ground surveying activities in support of future removal activities. Monsanto is conducting these activities to decide if it wishes to act as an authorized representative of U.S. EPA in this removal action. Thereafter, U.S. EPA and/or its authorized representative, whether that is Monsanto, another potentially



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responsible party, or a government contractor, will conduct further removal activities as described in the attached "CONSENT FOR ACCESS TO PROPERTY" form. These activities will occur and will be completed within the next 6-8 months, assuming they can be initiated quickly.

Therefore, I have enclosed a "CONSENT FOR ACCESS TO PROPERTY" form so that you may give Monsanto, U.S. EPA and its authorized representative your written consent for access to your property. Because we would like to complete removal activities as soon as possible we request that you please sign and date the form and return it to me within 10 days of the date of this letter. You may send the completed form to me at the following address:

Thomas J. Martin  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
77 W. Jackson Blvd. (CM-29A)  
Chicago, IL 60604

If you have any questions, please call me at (312) 886-4273. I appreciate your immediate attention to this matter.

Sincerely,



Thomas J. Martin  
Associate Regional Counsel

Enclosures

cc: ✓ Carol Graszer Ropski (HSE-5J)  
Sam Borries (HSE3-5J)  
Jeff Gore (HSRL-6J)

## IDENTICAL LETTERS SENT TO THE FOLLOWING:

Queeny Properties, Inc.  
Jay S. Dinkleman, Registered Agent  
8021 Ruck Drive  
Belleville, Illinois 62223

Mr. Harold W. Wiese  
c/o Walter L. Wittenberg  
Greensfield, Hemker & Gale, P.C.  
1800 Equitable Building  
10 South Broadway  
St. Louis, MO 63102-1774

Emily Hankins  
3110 Mississippi Avenue  
Sauget, Illinois 62201

Moto, Inc.  
Main Office  
721 West Main  
Bellevue, Illinois 62222

Cerro Copper Products Company  
c/o Richard F. Ricci  
Lowenstein, Sandler, Kohl, Fisher & Boylan  
65 Livingston Avenue  
Roseland, NJ 07068-1791

State of Illinois  
Legal Department  
Department of Transportation  
2300 S. Dirksen Pkwy.  
Springfield, IL 62764

## CONSENT FOR ACCESS TO PROPERTY

Name of Owner: Cerro Copper Products Company  
Sauget, Illinois 62201

Location            Sauget Area 1, Site G  
of Property:       Sauget, Illinois

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency ("U.S. EPA"), as well as employees of Monsanto Company, entering and having continued access to this property for the following purposes:

As to Monsanto:

a. Conduct above-ground survey of Site G boundaries, dimensions and physical characteristics.

As to U.S. EPA and its authorized representatives:

a. Develop a Health and Safety Plan to prevent exposure to workers and local residents from contaminated material;

b. Develop and implement a sampling and analytical program designed to identify potentially contaminated material inside and outside of the Site G Landfill fenced area;

c. Provide dust suppression measures for excavated contaminated material to insure contaminated dust does not migrate;

d. Properly handle, consolidate, store, remove, and/or treat and dispose of contaminated liquids, soil, and sediment which has migrated off-site and/or still exists on Site G, including any contamination which may have migrated into the adjacent portion of Creek Segment B;

e. Consolidate and/or remove non-hazardous waste and/or brush and debris;

f. Properly close/abandon any monitoring wells that interfere with placement of a landfill cover;

g. Provide appropriate backfill material as necessary to excavated areas and solidify/stabilize liquids, sludge and sediment as necessary to support overlying cover materials;

h. Design and Engineer an appropriate protective cover for the Landfill contents and the consolidated materials placed in the fenced area of Site G complying with identified State

and Federal ARARs; and

- i. Implement necessary erosion control measures to prevent cover erosion.

I realize that U.S. EPA's actions are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) ("CERCLA", as amended).

This written permission is given by me voluntarily, on behalf of myself and all other co-owners of this property, with knowledge of my right to refuse and without threats or promises of any kind.

Date

Signature

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